

**REMARKS**

Claims 116-163 are pending in the application.

Claims 116-163 stand rejected.

Claims 128-130, 132, 134-137 and 155-163 have been amended.

**Rejection of Claims under 35 U.S.C. §101**

Claims 128-136 and 155-163 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants have amended claims 128-136 and 155-163 to address the Examiner's concerns. Applicants respectfully submit that, in light of the foregoing amendments, the aforementioned rejections are overcome, and amended claims 128-136 and 155-163 are in condition for allowance.

**Rejection of Claims under 35 U.S.C. §102**

Claims 116-163 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Pederson, U.S. Patent No. 5,864,842 (hereinafter referred to as "Pederson").

While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicants have chosen to respectfully disagree and traverse the rejection as follows. Applicants reserve the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

As an initial matter, Applicant respectfully notes the pertinence of the reference has not been clearly explained, as required by 37 C.F.R. § 1.104(c)(2). In particular, Applicant respectfully submits that the pertinence of the cited portions of Pederson have not been provided at all. Applicant respectfully asserts that simply citing one or more paragraphs of a reference, as in some way purporting to teach or be relevant to a given claim limitation, sans any explanation thereof, is wholly inadequate in meeting both the relevant sections of the MPEP and 37 C.F.R. Nevertheless, Applicants has made every effort to respond to the rejections outlined in the Office Action.

Independent claim 116, is representative of amended independent claims 128, 137, 146 and 155, and recites:

116. A method comprising:  
generating a set of SQL statements to query a first table and a second table, wherein  
the generating uses a relationship between the first table and the second table to  
construct the set of SQL statements, and  
the set of SQL statements comprises SQL statements **other than a statement  
that joins the first and second tables;**  
querying the first table using the set of SQL statements to produce a result set;  
querying the second table using the set of SQL statements to produce a second result set;  
and  
joining the result set and the second result set to produce a third result set.  
(Emphasis supplied)

With regard to the various claim amendments presented herein, support for such amendments can still be found throughout the Specification. It will be appreciated that certain of the amendments presented herein are editorial in nature, and merely reflect changes in wording and the like, rather than changes in substance.

Applicant further respectfully submits that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegall Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits that the Office Action fails to demonstrate that Pederson shows, teaches or even suggests several of the foregoing limitations, using claim 116 as an example. In fact, one limitation that remains unaddressed reads:

“...  
the set of SQL statements comprises SQL statements **other than a statement  
that joins the first and second tables;**  
... “(Emphasis supplied)

Pederson, in the cited portions or elsewhere, insofar as Applicants are able to discern, provides no teaching as to the implementation, use or benefits of a joinless query. No technology even comparable to a joinless query, is shown, taught or even suggested by Pederson. As is demonstrated in the claims and the Specification, the claimed set of SQL statements comprises SQL statements other than a statement that joins the first and second tables. No such concepts can be found in Pederson.

The entire portion of Pederson cited against the claimed invention reads as follows:

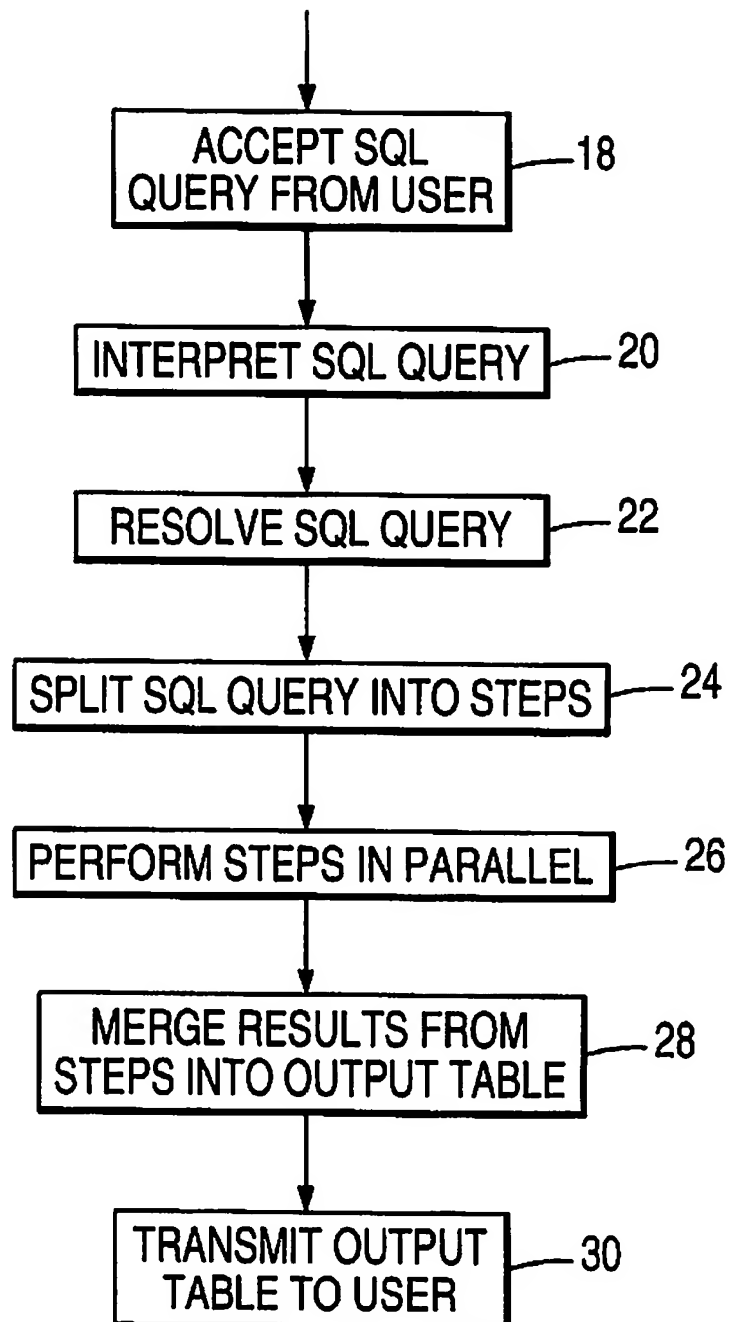
“Block 18 represents an SQL query being accepted by the IFP node 12.  
Block 20 represents the SQL query being transformed by an SQL interpreter  
executing on the IFP node 12. Block 22 represents the SQL interpreter resolving

symbolic names in the query using a data dictionary that contains information about all the databases and tables in the system. Block 24 represents the SQL interpreter splitting the query into one or more "step messages", wherein each step message is assigned to an AMP node 12 identified by a hash bucket.

As mentioned above, the rows of the tables are evenly distributed among all AMP nodes 12, so that all AMP nodes 12 can work at the same time on the data of a given table. If a request is for data in a single row, i.e., a prime index request, the IFP node 12 transmits it to the AMP node 12 in which the data resides. If the request is for multiple rows, then the steps are forwarded to all participating AMP nodes 12. Since the database tables are evenly distributed across the DSUs 16 of the AMP nodes 12, the workload of performing the SQL query is balanced between the AMP nodes 12 and DSUs 16.

Block 24 also represents a dispatcher task executed by the IFP node 12 sending the step messages to their assigned AMP nodes 12 via the interconnect network 14. Block 26 represents the AMP nodes 12 performing the required data manipulation associated with the step messages received from the IFP node 12, and then transmitting appropriate responses back over the interconnect network 14 to the IFP node 12. **Block 28 represents the IFP node 12 then merging the responses that come from the AMP nodes 12.** Block 30 represents the output or result table being transmitted from the IFP node 12 to the users.” (Pederson, col. 4, ll. 25-56; Emphasis supplied)

Nowhere in the preceding paragraphs is there shown, taught or even suggested the use, advantages or existence of the claimed joinless query. Fig. 2 of Pederson, referred to therein, bears this out:

**FIG. 2**

In fact, the splitting of an SQL query into steps can be interpreted as teaching away from the use of a joinless query (the splitting of an SQL query into multiple steps (Step 24) being the antithesis of accomplishing the query in a one (or at least fewer) step(s)). At best, the query is performed iteratively, with each query resulting in a set of results that must then be merged to provide the desired results (“Block 28 represents the IFP node 12 then merging the responses that come from the AMP nodes 12.” (Pederson, col. 4, ll. 53-54; Step 28 of Fig. 2).

Thus, without the need to reach any other of Pederson’s infirmities, Pederson’s failure to show, teach or suggest a joinless SQL query that is performed by generating a set of SQL statements to query a first table and a second table, wherein the act of generating uses a relationship between the first table and the second table to construct the set of SQL statements, rather than an SQL statement that joins the first and second tables, proves to be a fatal flaw.

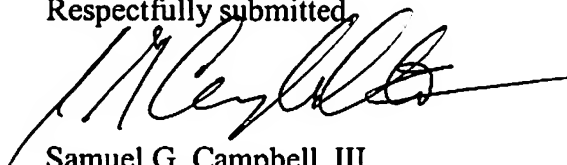
Applicants respectfully submit, therefore, that independent claims 116, 128, 137, 146 and 155 are allowable over Pederson, and so Applicants respectfully urge that the §102 rejection of claims 116, 128, 137, 146 and 155 be withdrawn. Applicants further respectfully submit that dependent claims 117-127, 129-136, 138-145, 147-154 and 156-163 are allowable as depending upon allowable base claims in addition to being allowable for various other reasons.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. G. Campbell, III', with a long horizontal flourish extending to the right.

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